



**CONFIDENTIAL DISCLOSURE AGREEMENT  
for Clean Air Act Violations**

**Between the parties:**

California Air Resources Board

and

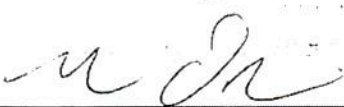
U.S. Environmental Protection Agency  
Office of Enforcement and Compliance Assurance  
Air Enforcement Division

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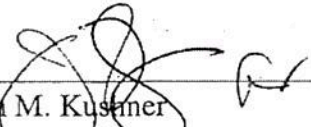
Commencing on March 13, 2007, staff of the California Air Resources Board (ARB) and the U.S. Environmental Protection Agency's Air Enforcement Division (AED) (hereinafter "the parties") will regularly confer to discuss enforcement targeting and ongoing and potential enforcement matters of joint interest to the parties in anticipation of joint litigation.

To preserve the confidentiality of these discussions, the parties enter into this joint confidentiality agreement. At no time may information learned from the other party during such discussions be disclosed to a third party not employed by the ARB or AED. The parties further agree that any documents created in the administration or conduct of the discussions and in actions taken thereafter based on matters of mutual prosecution interest should be treated as confidential, and should be marked accordingly as "Enforcement Confidential, Attorney Work Product, Attorney-Client Privileged Communication: Do Not Release." Failure to mark any such documents in this way in no way impairs the document's confidentiality and does not affect any privilege that applies to it.

The undersigned represent all ARB and AED staff who will participate in the discussions, and bind them to this agreement.

  
\_\_\_\_\_  
Kirk Oliver  
Signing on behalf of, and binding, ARB participants

4.23.07  
Date

  
\_\_\_\_\_  
Adam M. Kushner  
Signing on behalf of, and binding, AED participants

4.12.07  
Date